

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

Claim 1: (Currently Amended) An elastic headband device with integrated audio system comprising:

a stretchable cloth member sized and shaped for positioning about the head and ears of an individual wearer, said cloth member having a central cavity throughout with first and second side portions and a rear portion;

a pair of audio speaker elements removably disposed within the central cavity of said cloth member at said first and second side portions;

a mechanism for adjusting the relative position of each said audio speaker element within said central cavity at its respective side portion to position each element opposite an ear opening of an individual wearer, said adjustment mechanism including a pair of attachment elements for adjustably positioning said audio speaker elements in said cavity opposite the ear openings of an individual wearer;

a pair of sleeve members each adapted to selectively contain one said audio speaker element, each said sleeve member being selectively positioned and secured in said cavity by one said attachment element;

a central aperture positioned at said cloth member rear portion accessing said central cavity; and

a plurality of speaker wires attached to said audio speaker elements within said cloth member central cavity and exiting through said central aperture at said rear portion for connection to an audio generation system.

Claim 2: (Original) The headband device as claimed in claim 1, wherein said cloth member comprises material adapted to provide sweat absorption as well as warmth protection to the head and ears of an individual wearer.

Claim 3: (Original) The headband device as claimed in claim 2, wherein said cloth material comprises an inner and an outer layer secured together to form said central cavity.

Claim 4: (Original) The headband device as claimed in claim 3, wherein said audio speaker elements are disposed between said inner and outer layers of cloth.

Claim 5: (Canceled)

Claim 6: (Currently Amended) The headband device as claimed in claim ~~5~~1, wherein said attachment elements comprised a pair of hook and loop members secured to said cloth member and to said speaker elements for selectively positioning and securing said audio speaker elements in said cavity.

Claim 7: (Currently Amended) The headband device as claimed in claim ~~5~~1, wherein said attachment elements comprised a plurality of snap lock members secured to said cloth member and to said speaker elements for selectively positioning and securing said audio speaker elements in said cavity.

Claim 8: (Canceled).

Claim 9: (Currently Amended) The headband device as claimed in claim ~~8~~1, wherein said sleeve elements are adjustably positioned within said cavity to enable placement of said audio speaker elements opposite the ear openings of an individual wearer.

Claim 10: (Original) The headband device as claimed in claim 1, wherein said audio speaker elements are removably secured within said cavity to enable adjustable positioning within said cavity as well as removal through said central aperture for washing of said cloth member.

Claim 11: (Currently Amended) A combination headband and earphone device comprising:

a cloth headband sized and shaped for placement around the head and over the ears of an individual and comprising material adapted to provide sweat absorption as well as warmth projection to the head and ears of an individual wearing said device, said headband including first and second side portions for covering the individual's ears, a front portion for covering the forehead of the individual and a rear portion, said headband having inner and outer layers forming a central cavity throughout said first and second side portions and said rear portion;

a pair of audio speakers removably disposed within the central cavity of said headband at said first and second side portions, said cloth material having an inner and an outer layer secured together to form said central cavity for housing said audio speakers;

adjustment elements disposed at the relative positions of each said audio speaker within said central cavity at said respective side portions to adjustably position each speaker opposite an ear opening of an individual wearing said headband, said adjustment elements comprising a plurality of attachment members at each said side portion within said cavity for adjustably and removably positioning said audio speakers in said cavity opposite the ear openings of any particular individual wearing the device;

a pair of sleeve members each adapted to selectively contain one said audio speaker, each said sleeve member being selectively secured in and adjustably positioned within said cavity by at least one said attachment element to enable placement of said audio speakers opposite the ear openings of any individual wearing said device;

a central opening located at said headband rear portion for accessing said central cavity; and

a plurality of speaker wires attached to said audio speakers within said headband central cavity and exiting through said central opening at said rear portion for connection to an audio generation system carried by the individual wearing said headband.

Claims 12-13: (Canceled).

Claim 14: (Currently Amended) The combination device as claimed in claim ~~13~~ 11, wherein said attachment members are selected from the group consisting of hook and loop fasteners and snap lock connectors.

Claims 15-20: (Canceled).

Claim 21: (New) An elastic headband device having an integrated audio system, said device comprising:

an elastic, stretchable cloth member sized and shaped for positioning about the head and ears of an individual wearer and comprising washable material adapted to provide sweat absorption as well as warmth projection to the head and ears of an individual wearer, said elastic cloth member having an inner and an outer layer secured together to form a central cavity throughout with first and second side portions and a rear portion;

a pair of audio speaker elements removably disposed within the central cavity of said elastic, stretchable cloth member at a plurality of variably selective positions along said first and second side portions;

a pair of attachment elements for variably adjusting and selectively fixing the relative position of each said audio speaker element at a desired respective side portion within the central cavity of said elastic, stretchable cloth member opposite the ear openings of an individual wearer;

a central aperture positioned at said cloth member rear portion accessing said central cavity; and

a plurality of speaker wires attached to said audio speaker elements within said cloth member central cavity and exiting through said central aperture at said rear portion for connection to an audio generation system.

Claim 22: (new) The headband device as claimed in claim 21, wherein said attachment elements comprised a pair of hook and loop members secured to said cloth member within said cavity and to said speaker elements for selectively variably positioning and securing said audio speaker elements in said cavity.